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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

JOSHUA CHATWIN,

Plaintiff,

v.

DRAPER CITY; DRAPER CITY POLICE DEPARTMENT; OFFICER J. PATTERSON, in his individual and official capacity; OFFICER HEATHER BAUGH, in her individual and official capacity; OFFICER DAVID HARRIS, in his individual and official capacity; OFFICER KURT IMIG, in his individual capacity; SUPERVISOR TBA; and JOHN DOES 1-10,

Defendants.

**DECLARATION OF LISA A.
MARCY**

Case No.: 2:14-cv-375

Judge: Dale A. Kimball

Lisa Marcy, under penalty of perjury, does hereby state and aver as follows:

1. I have personal knowledge of the facts contained herein;
2. I have been the sole counsel responsible for tracking filings in the case noted above;

3. The two emails, “aarongianna1213@gmail.com” and “vricci@aarongianna.com,” belonged to a former employee and are no longer used;
4. “Marcylawfirm@gmail.com” was the email used by me at my previous firm and is not regularly checked;
5. I admits that I should learn how to remove the emails listed with *PACER*;
6. When I realized my error, I remembered that I had been absent from January 22, 2015 until Sunday, February 1, 2015. *Id., attached hereto Exhibit “1,” Email of Delta Flight Itinerary;*
7. I am the Co-Program Director of the National Institute for Trial Advocacy (“NITA”) Gulf Coast Trial Program. *attached hereto Exhibit “2,” NITA Gulf Coast Trial Brochure 2015;*
8. The Trial Program is demanding, both from the perspective of time and energy;
9. I had just arrived back at the office on February 2, 2015, had much work resulting from my time away, and was tired on February 3, 2015 when the Court’s email in question arrived;
10. Those particular two weeks were extreme and unusual.

DATED this 19th day of March, 2015.

AARON & GIANNA, PLC



Lisa A. Marcy

Pursuant to Utah Code Ann. §78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. So executed this 19th day of March, 2015.

